

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KAI SIMMS,

Plaintiff,

vs.

FONTANA DISTRIBUTION, LLC, et al.,

Defendant.

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Case No. 4:09CV00017AGF

ORDER

This matter is before the Court on the voluntary dismissal by Plaintiff. As Defendants have not responded to the complaint, Plaintiff may dismiss the case of right under Fed.R.Civ.P. 41(a)(1). Accordingly,

IT IS HEREBY ORDERED that the case is dismissed with prejudice, each part to bear its own costs.

IT IS FURTHER ORDERED that all pending motions, including Plaintiff's motion to enforce settlement [Doc. #13], are **Denied as moot**.

Dated this 3rd day of August, 2009.



AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE